IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 705 OF 2006
IN
CHAMBER SUMMONS NO. 548 OF 2006
IN
EXECUTION APPLICATION NO. 66 OF 2006
IN
SUMMARY SUIT NO. 2614 OF 2004

Sharad Chandra Vinayak Dongre] .. Appellant (Ori.Plaintiff)

Versus

M/s. K.T. Dongre & Co. Pvt. Ltd.] .. Respondent (Ori.Defendant)

Dr. Mrs. R.R. Ajinkya i/b M/s. Sunil & Co. for the appellant.

Mr. S.U. Kamdar with Mr. Deepak Chitnis i/b M/s. Deepak Chitnis & Chiprikar & Co. for the respondent.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 28TH NOVEMBER, 2006

P.C. :

. Earlier, on October 3, 2006, the time was granted as the Advocates for the parties submitted that the negotiations for settlement were still going on. Today, the counsel for the respondent No.1 submits that terms of settlement have not been settled so far.

2. We, accordingly, heard the counsel for the appellant.

3. It is not in dispute that the fact recorded by the Chamber Judge in his order that the certificate certifying the decree is fully satisfied has already been issued by this Court reflects the correct factual position. If that be so, we find no error in the order of the learned Chamber Judge in making the Chamber Summons absolute in terms of prayer clauses (a) and (b).

4. Appeal does not deserve to be admitted.

5. Dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]